TAXPAYERS PROTECTION ALLIANCE

April 11, 2025

Marlene H. Dortch, Secretary
Federal Communications Commission
45 L Street NE
Washington, DC 20554
Via Electronic Filing

In the Matter of the Commission's Docket 25-133 "Delete, Delete, Delete"

On behalf of the Taxpayers Protection Alliance (TPA), a non-partisan, non-profit organization dedicated to educating the public through the research, analysis, and dissemination of information on the government's effects on the economy, we respectfully submit these comments to the Federal Communications Commission (FCC) in the above-referenced proceeding.

As set forth in its public notice, the FCC seeks to follow President Trump's directive to ensure administrative agencies "are efficiently delivering great results for the American people … Specifically, we are seeking public input on identifying FCC rules for the purpose of alleviating unnecessary regulatory burdens."

Below are some of TPA's proposals for regulatory reform:

- The FCC should make permanent the waiver granted in its docket WC 17-84 ("Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment") on filing requirements in the Commission's network change disclosure rules adopted under section 251(c)(5) of the Communications Act. The change would be consistent with the FCC's goal of eliminating unnecessary and burdensome regulations, which divert pivotal carrier resources, in order to transition aging networks to next-generation networks. A key component to this transition is converting copper lines to fiber. As the Commission noted in granting the waiver, there has been practically no opposition to the more than 1,100 network change disclosures filed with the FCC since 2021.

- Correspondingly, the Commission should make permanent its two-year waiver (DA 25-248) granted in docket WC 17-84 that allows a carrier to discontinue a legacy voice service without FCC authorization. The Wireline Competition Bureau granted that waiver in recognition of rapid advances in communications technology and the increase in the number and type of bundled offerings available to households, while acknowledging that the rule slowed growth in such developments.

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- The FCC should reexamine its implementation of broadband labels (Docket 22-86) for high-speed internet service. This information is too technical for many consumers to find practical, and also leads to too much focus on cost at the expense of reliability.

- The Commission should consider eliminating analogue-era rules that prevent television stations from generating economies of scale that would result in better content. This includes getting rid of the national ownership cap (Section 73.3555(e)) that prevents companies from owning or controlling TV stations that reach more than 39 percent of the nationwide market. This also includes axing local TV ownership rules that prohibit broadcasters from buying two TV stations ranked among the top four in audience share in the same local market. Broadcasters are disadvantaged against platforms which are not subject to the same constraints and can reach 100 percent of the national audience.

- Correspondingly, the FCC should get rid of ex ante ownership limitations on local radio ownership. While Congress enacted legislation in 1996 that limited radio station groups in how many stations they can own based on market size, the Commission could deregulate smaller markets and place no formal ex ante ownership limitations on those.

- Public file reporting requirements for broadcast stations (73.3526(e)(1), 73.3527(e)(1)) are overly onerous. Requirements for providing information about each station's operations and service include political time offered, quarterly lists showing significant programs concerning issues of importance to the local community, data on ownership, and active applications filed with the FCC. Most of these are unnecessary and should be eliminated.

- The Commission should nix a pending proposal that would require disclosure on whether artificial intelligence was used to generate the ad (Docket 24-211). The rule disproportionately affects broadcast television and potentially violates both the First Amendment and the Communications Act. Advertisements can be created any number of different ways with an array of technological inputs, and specifying these inputs simply isn't useful for consumers.

- The FCC should eliminate its rules concerning "news distortion" and "broadcast hoaxes." The former is an informal doctrine that is too vague, allowing the Commission to take enforcement action if it finds a station has deliberately distorted the news. The latter, also an informal rule, prohibits stations from broadcasting false information about a crime or catastrophe, but can expose the station to liability for even benign pranks. The hoax rule is also duplicative, as the Federal Trade Commission's Section 5 authority gives it power to deal with that issue.

- Wireless carriers are currently required to provide automatic roaming (47 CFR § 20) to any technologically compatible, facilities-based commercial mobile radio services carrier on

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"reasonable and not unreasonably discriminatory terms." The rule is overly burdensome to carriers and should be eliminated.

- The FCC's discontinuance rules (47 CFR § 63) establish procedures by which domestic carriers must notify their customers and various government officials of plans to discontinue, reduce or impair service. These rules are overly onerous and should be excised.

- Currently, eligible telecommunications carriers (ETCs) are obligated to participate in Universal Service Fund (USF) programs, which some courts have ruled are a de facto tax on consumers because ETCs are charged a USF fee that is passed onto their customers. The FCC should eliminate this requirement (47 CFR § 54) as part of an overhaul or elimination of the USF.

- The FCC should examine ways to make less burdensome its outage reporting rules (47 CFR § 4. 1-4. 18). The requirement that wireline and interconnected voice over internet protocol providers provide notification to 911/988 providers of a network outage within 30 minutes and exercise "special diligence" to gather 911/988 facility contact information impedes the disaster response system and imposes costs on private parties not justified by the modest benefits.

- As part of an effort in Congress to modernize the National Environmental Policy Act (NEPA) and reduce permitting costs, the FCC should reexamine its rules (47 CFR § 1.1305-1.1320) implementing NEPA requirements to consider how they may be slowing down telecom infrastructure growth. The Council on Environmental Quality (CEQ) within the Executive Office of the President has already issued interim final rulemaking removing regulations implementing NEPA, and the FCC should work closely with the CEQ to streamline permitting requirements.

TPA welcomes this opportunity to assist the FCC in closely scrutinizing rules that are raising costs for taxpayers and consumers and impeding the growth of the telecom industry. Thank you for your time and attention to this matter.

Sincerely,

David Williams
President

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